

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 06-2399

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RICHARD JAKIMAS; DIANNE FLYNN, Association Member;  
LOUIS RISTAGNO, Association Member;  
ALL OTHER ASSOCIATION MEMBERS;  
JOHN M. ADAIR; JOHN J. ADZIMA; BRUCE J. AIELLO;  
THOMAS AIELLO; JACK BAILEY; GERALD A. BARRETT;  
WALTER BENIUK; BRUCE BLANCHARD; RENE REIS BRAGA;  
TEDEUSZ BUKOWSKI; EDWARD CABRAL; ANGELO CAPALBO;  
RICHARD CARLSON; RALPH CASO; JAMES CASTELLI;  
SAMUEL CASTRONOVO, JR.; PETER CHAPMAN;  
PAUL D. CIUPPA; GARY COCOZZO; LAURA CARBO;  
ALAN L. CURTIS; PAUL DAY; CHARLES DELORENZI;  
PETER DEMODICA, III; JOSEPH DIGIACOMO; STEFAN DZIABA;  
WALTER DZIABA; MICHAEL FARON; RAMOND J. FEINER;  
ANDREW FERACO; PAUL FRANEK; LAWRENCE GELOK;  
ROBERT L. GLOVER; RAYMOND GOETZ; JOSEPH GOMES;  
ANTHONY GRECO; DANIEL GREEN; JOHNNY HADDLEY;  
WILLIAM J. HAHN; RICHARD HALL; DAVID HANRAHAN;  
DEBORAH HELFRICH; RONALD JONES; ALOJZY KALATA;  
JAMES F. KANE; JOSEPH M. KAPROWSKI; BERNARD KAPUSCINSKI;  
JAN KASPROWICZ; MICHAEL KENNEDY; ROBERT J. KOHLER;  
EDWARD KWASNIK; FLAVIO LABAGNARA; ROSA LABAGNARA;  
ROBERT J. LENIK; WOJCIECH LEOZENIA; JOSEPH MACDIARMID;  
JAMES F. MADIGAN; WILLIAM R. MALLOY, SR.; ALBERT A. MARCHIONE;  
ANTHONY MARIANO; EDWARD B. MAYO; HENRY M. MCAULIFFE;  
MIKE MEECHAN; STEPHEN E. MELLINGER; LAWRENCE MEMICE;  
DONALD A. MEYER; ROBERT P. MUNDT; NICK NARDONE;  
CHERYL NEGRON; JOSEPH M. OROLEN; EDWARD PAJAK;  
ROBERT PAVONE; ROGER M. PERRI; FRANK J. PETRASEK;  
WILLIAM PITT; PETER PLAFTA; JULIAN POKRYWA;  
RONALD POKRYWA; ROQUE N. RIVERA; ANTONIO RIZZI;  
BARBARA ROBINSON; SAMUEL ROSAMILIA; ROGER ROTONDI;  
CHUCK L. RUTAN; ALBERT RYBACKI; ANDREW J. SACCOCCIA;  
JAN SERAFIN; ROBERT SHALLCROSS; MARTHA X. SKINNER;  
DONALD D. SMITH; ANTHONY SPAGNUOLO; ANTHONY J. SPANO;  
SARA SPANO; ANTHONY SPERA; NATALE TURANO;  
STEPHEN R. TYBURCZY; ROBERT J. VELEBER, JR.; WILLIAM VILLINO;

MICHAEL A. VOCATURO; MARIAN WOJCIECHOWSKI;  
LEONARD A. ZUMMO; RICKI BLOHM; FRANK CAVALIERE;  
CHARLENE JOHNSON; DONALD BREEN; JOHN TOMASKOVIC,

Appellants

v.

HOFFMANN-LA ROCHE, INC.\*;  
JOHNSON CONTROLS WORLD SERVICES, INC.

(\*Amended per Clerk's order of June 6, 2006)

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. No. 99-cv-05126)  
District Judge: Honorable Jose L. Linares

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Argued February 15, 2007  
Before: SMITH and FISHER, *Circuit Judges*, and DOWD, \* *District Judge*.

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JUDGMENT

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This cause came on to be heard on the record from the United States District Court for the District of New Jersey and was argued on February 15, 2007.

On consideration whereof, it is now hereby ORDERED and ADJUDGED that the order of the District Court entered March 31, 2006, be and the same is hereby AFFIRMED. All of the above in accordance with the opinion of this Court.

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\*The Honorable David D. Dowd, Jr., United States District Judge for the Northern District of Ohio, sitting by designation.

Costs taxed against Appellants.

Attest:

/s/ Marcia M. Waldron  
Clerk

DATED: May 14, 2007

Costs added hereto in favor of Appellees, Hoffmann-LaRoche Inc.,  
as follows:

Appellees Brief.....\$229.70

Costs added hereto in favor of Appellees, Johnson Controls World Services, Inc., as  
follows:

Appellees Brief.....\$175.60

**Total.....\$ 405.30**

**Certified as a true copy and issued in lieu  
of a formal mandate on July 5, 2007**

**Teste: /s/ Marcia M. Waldron**

**Clerk, U.S. Court of Appeals  
For the Third Circuit.**